

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

NAME INTELLIGENCE, INC., a	)	CASE NO.: 2:10 cv 1202-RCJ-LRL
Washington corporation, and JAY	)	
WESTERDAL, an individual,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
LAUHLIN MCKINNON, an individual;	)	
JEFF EHLERT, an individual; and	)	
CHARLES J. LYBARGER, an individual,	)	
	)	
Defendants.	)	

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**ORDER RE PRELIMINARY INJUNCTION**

THIS MATTER, having come before this Court on the Motion for Preliminary Injunction brought by Name Intelligence, Inc., and Jay Westerdal, this Court having heard oral argument from counsel for Name Intelligence, Inc., and Jay Westerdal, and considered the Motion and all evidence presented, including the Declaration of Jay Westerdal, the Declaration of Carl Taylor, and the Declaration of Hamilton H. Gardiner and attachments thereto, all of which establish immediate and

1 irreparable injury that will result to Name Intelligence, Inc., and Jay Westerdal if the status quo is  
2 not maintained. The immediate and irreparable injury includes the transfer or encumbrance of real  
3 property rightfully belonging to plaintiffs, the acquisition of real property in the name of defendants  
4 or their entities using the funds provided by Plaintiffs to Defendants and the further distribution of  
5 plaintiffs' funds from the trust account of defendant Charles Lybarger. The injury to Plaintiffs being  
6 immediate and irreparable in that real property could be encumbered or transferred to third party  
7 bona fide lenders, or purchasers who would potentially have priority over the rights of plaintiffs  
8 resulting in a loss of security for plaintiffs' monies. In addition there is the potential that the  
9 distribution of funds from the trust account of Charles Lybarger would result in an inability to  
10 recover such funds from defendants because of insolvency or fraudulent conveyance of properties  
11 and monies to third parties not subject to the court's jurisdiction. The aforementioned immediate  
12 and irreparable injury will occur if a Preliminary Injunction Order is not issued, and that the  
13 Preliminary Injunction Order should be issued immediately, and this Court having reviewed the files  
14 and records herein, and being otherwise fully advised in the premises,

15 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS  
16 FOLLOWS:

- 17 1. Lauchlin McKinnon and Jeff Ehlert are hereby enjoined and restrained from  
18 proceeding with the operation of the business of acquiring, rehabilitating, managing,  
19 and selling of real estate with the use of funds invested and/or provided by Name  
20 Intelligence, Inc., and Jay Westerdal.
- 21 2. Lauchlin McKinnon and Jeff Ehlert are hereby enjoined and restrained from selling  
22 or encumbering any of the real property purchased with the use of funds invested  
23 and/or provided by Name Intelligence, Inc., and Jay Westerdal including, but not  
24 limited to, the following properties:
  - 25 a. 9340 Copper Bay Avenue, Las Vegas, NV 89129.
  - 26 b. 539 Queens Borough Avenue, Las Vegas, NV 89113

- c. 5320 Dawes Court, Las Vegas, NV 89110
- d. 5386 Lindsay Heights Street, Las Vegas, NV 89148
- e. 9402 Blacktail Fork Street, Las Vegas, NV 89113
- f. 5908 Soaring Bluff Street, Las Vegas, NV 89031
- g. 744 Jacaranda Leaf Street, Las Vegas, NV 89139
- h. 9354 Fort Lincoln Avenue, Las Vegas, NV 89178
- i. 9340 Copper Bay Avenue, Las Vegas, NV 89129
- j. 8577 Bolton Court, Las Vegas, NV 89113
- k. 9324 Mountain Range Avenue, Las Vegas, NV 89129
- l. 3728 Robert McQuire Court, Las Vegas, NV 89129
- m. 6643 West Tropicana Avenue, #203, Las Vegas, NV 89103
- n. 5822 Gentle Slope, Henderson, NV 89011

- 3. Lauchlin McKinnon and Jeff Ehlert are hereby ordered to record all deeds of the real property purchased with the use of funds investment and/or provided by Name Intelligence, Inc., and Jay Westerdal and record those properties, including, but not limited to those listed in Section 2(a - g) in the name of Name Intelligence, Inc.
- 4. Charles J. Lybarger is hereby enjoined and restrained from transferring any funds remaining in his trust account which were invested and/or provided by Name Intelligence, Inc., and Jay Westerdal to Lauchlin McKinnon, Jeff Ehlert or any other third party without authorization from this court.
- 5. This Preliminary Injunction Order shall remain in place until further order of the Court.
- 6. Name Intelligence, Inc., and Jay Westerdal not be required to provide a bond with respect to this preliminary injunction.

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1           7.     The Temporary Restraining Order previously issued on an ex parte basis against  
2                 Lauchlin McKinnon and Jeff Ehlert shall remain in effect until they are served with  
3                 this Preliminary Injunction.

4 ISSUED IN OPEN COURT this 11th day of August, 2010.

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8                                 ROBERT C. JONES  
9                                 United States District Judge  
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